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PITTAS \ KOENIG  
Counsellors at Law

DATE: September 30, 2005

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## F A X C O M M U N I C A T I O N

TO: SPE Hyung Sub Sough FAX: 571-273-8300  
ART UNIT: 3628 PHONE: 571-272-6799  
FROM: Philip Koenig FAX: 781.721.9597  
TEL: 781.721.6800

RE: Application Serial No: 09/228909  
Initially Filed: January 11, 1999  
RCE Filed: June 19, 2002  
Applicants: Lawrence KOHLS et al  
Examiner: Frantzy POINVIL  
Title: TRADING SYSTEM FOR FIXED VALUE CONTRACTS

## MESSAGE

Dear Supervisory Examiner Sough,

A Notice of Allowance and Issue Fee due regarding Application Serial No. 09/228,909 was mailed by your office on June 23, 2005, and our payment of the issue fee was received in the Patent Office on July 15.

Not having received further notice of issue date, I called the Office of Publications yesterday, and, to my great surprise and shock, I was informed by Ms. Darleen Lyon (telephone No. 571.272.4200) that this case was on hold, by reason of the failure of Group 3628 to have sent a complete file to the Office of Publications: specifically, there is lacking from the file the examiner's amendment supposedly entered by Examiner Poinvil, as Examiner Poinvil reported to me by telephone in early May, amending Claim 44 in a manner suggested by my email dated May 10, 2005, a copy of which is enclosed.

The prosecution of this case is approaching its seventh anniversary (January 11, 2006), and it has been subjected to repeated, lengthy, and often unexplained delays in the Office. I urge you to take an active role in moving this case forward to issue without any further delay, and to inform me of the status of the case, preferably by telephone to 781.721.6800, or by message to my email address [philippe.koenig@comcast.net](mailto:philippe.koenig@comcast.net).

Thank you very much for your consideration,

Sincerely yours,

  
Philip Koenig

Reg. No. 31,386

Tel: 781.721.6800

**From:** philippe.koenig@comcast.net  
**To:** lawrencekohls@comcast.net (Larry Kohls), sam@alwan.com (Sam Alwan)  
**Subject:** FW: SN 09/228,909  
**Date:** Tue, 10 May 2005 17:34:58 +0000

----- Forwarded Message: -----  
**From:** [philippe.koenig@comcast.net](mailto:philippe.koenig@comcast.net)  
**To:** [frantzy.poinvil@uspto.gov](mailto:frantzy.poinvil@uspto.gov)  
**Subject:** SN 09/228,909  
**Date:** Tue, 10 May 2005 17:32:37 +0000

Dear Examiner Poinvil,

Thank you for promptly returning my call this morning regarding Application Serial Number 09/228,909.

Pursuant to your report regarding the need to amend Claim 44, in order to recite a method step specifically reciting trading activity, I propose amending this claim as shown in the enclosed attachment, adding the step now set forth in paragraph (b), and also adding the word "offered" twice in the concluding paragraph (now paragraph (d)).

Thank you for your consideration,  
Philip Koenig  
781.721.6800

----- Attached Message -----  
**From:** philippe.koenig@comcast.net [ [Save Address](#) ]  
**To:** [frantzy.poinvil@uspto.gov](mailto:frantzy.poinvil@uspto.gov)  
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**Attachment 1:** [May 2005 Claim 44.doc](#) (application/msword)

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